

Before the
Federal Communications Commission
 Washington, D.C. 20554

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MAR - 4 1991

In the Matter of)

An Inquiry into the)
 Commission's Policies and)
 Rules Regarding AM)
 Directional Antenna)
 Performance Verification)

Federal Communications Commission
 Office of the Secretary

RM-7594

93-177

REPLY COMMENTS OF LAHM, SUFFA & CAVELL, INC.

Lahm, Suffa & Cavell, Inc. (LS&C), a petitioner in this proceeding and a consulting engineering firm regularly engaged in the design, analysis, and performance measurement of AM broadcast antenna systems, hereby submits its Reply Comments in the above-captioned matter. These Reply Comments are particularly directed toward the comments filed by another petitioner, Hatfield & Dawson Consulting Engineers, Inc. (H&D).

H&D suggests that issuance of a Notice of Inquiry (NOI) is not necessary; the Commission should initiate a Rule Making proceeding forthwith. LS&C shares H&D's apparent concern as to the length of any proceeding that might be initiated. However, rapid issuance of a Notice of Proposed Rule Making (NPRM) would not necessarily control nor limit proceeding duration. In the absence of adequate focus and public input before issuance of the NPRM, the resulting comments could lead to the issuance of a Further NPRM to address relevant matters not included initially. Adoption of weakly supported or hurriedly constructed rules could lead to reconsideration requests, which delay administrative finality and might result in the adoption of inadequate and ineffective rules. A broad NOI was sought by the petitioners in this proceeding, not a quick and limited NPRM.

If a joint government-industry engineering conference is held, as suggested by H&D and duTreil, Lundin & Rackley, Inc., a NOI or NPRM developed from the record of such meetings would likely streamline any proceeding. There are three useful approaches that would meet the need for public input that we perceive: (a) a conference followed by NOI and NPRM, (b) conferences followed by NPRM, or (c) NOI followed by NPRM. The Commission's Radio Advisory Committee could serve as a means of obtaining input.

H&D's comments appear to suggest that an NPRM have as its main focus a simplification of the existing rules which set forth the mechanics of establishing, verifying, and maintaining AM directional antenna system performance. We believe that this is the time for a more comprehensive proceeding that addresses all important philosophical, as well as mechanical, matters in the subject area. There are critical regulatory issues that deserve careful attention, *if only to reaffirm the pertinence of the current approaches*, such as the degree to which magnetic field strength measurements can be relied upon to reflect radiated electric field strengths and the extent to which the licensee is to be held responsible for the effects of the environment well beyond its property. Philosophical issues might not be considered in a proceeding directed primarily toward simplification of the mechanical aspects of the existing technical standards.

A comprehensive proceeding will provide the Commission with a full, unfettered range of options to consider in revising AM antenna system performance rules to improve AM broadcasting. It is also urged that any proceeding also include the codification of all relevant policies to be retained or implemented, so that they may be readily ascertained by the public. It is urged that the Commission take such approaches in its disposition of this matter.

28 February 1990

Respectfully Submitted,

Lahm, Suffa & Cavell, Inc.
Consulting Engineers
3975 University Drive
Suite #450
Fairfax, VA 22030
(202) 332-0110
(703) 591-0110


Garrison C. Cavell


Karl D. Lahm, P.E.

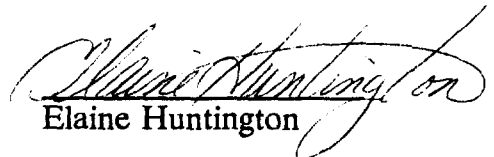

William P. Suffa, P.E.

Certificate of Service

I, Elaine Huntington, a secretary with the consulting engineering firm of Lahm, Suffa & Cavell, Inc., hereby certify that exact copies of the foregoing "Supporting Comments of Lahm, Suffa & Cavell, Inc." were sent this 1st day of March 1991 by first class mail, postage prepaid, to the following:

duTrie, Lundin & Rackley, Inc.
1019 19th Street, N.W., Third Floor
Washington, D.C. 20036

Hatfield & Dawson Consulting Engineers, Inc.
4226 Sixth Avenue, N.W.
Seattle, Washington 98107


Elaine Huntington